

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA**

Edward Copeland,	)	
	)	
Petitioner,	)	
	)	C.A. No.: 2:05-CR-0135
v.	)	
	)	
United States of America,	)	
	)	<b><u>ORDER</u></b>
Respondent.	)	
_____	)	

On September 8, 2010, this Court issued an Order dismissing Petitioner's motion to vacate filed pursuant to 28 U.S.C. § 2255. Petitioner appealed the Court's Order, and on October 19, 2010, the Fourth Circuit Court of Appeals remanded this case for the limited purpose of permitting this Court to supplement the record with an order granting or denying a certificate of appealability.

On December 1, 2009, the Rules Governing Section 2255 Cases in the United States District Courts were amended to require a District Court to issue or deny a certificate of appealability when a final ruling on a habeas petition is issued. The governing law provides that:

(c)(2) A certificate of appealability may issue . . . only if the applicant has made a substantial showing of the denial of a constitutional right.

(c)(3) The certificate of appealability . . . shall indicate which specific issue or issues satisfy the showing required by paragraph (2).

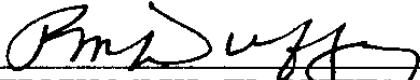
28 U.S.C. § 2253(c). A prisoner satisfies this standard by demonstrating that reasonable jurists would find this court's assessment of his constitutional claims is debatable or wrong and that any dispositive procedural ruling by the district court is likewise debatable. *See Miller-El v. Cockrell*, 537 U.S. 322, 336 (2003); *Slack v. McDaniel*, 529 U.S. 473, 484 (2000); *Rose v. Lee*,

252 F.3d 676, 683 (4th. Cir. 2001). In this case, the legal standard for the issuance of a certificate of appealability has not been met. Therefore, a certificate of appealability is denied.

**CONCLUSION**

For the foregoing reasons, it is **ORDERED** that a certificate of appealability is **DENIED**.

**AND IT IS SO ORDERED.**

  
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PATRICK MICHAEL DUFFY  
United States District Judge

October 20, 2010  
Charleston, SC